

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYMEYON HILL,

Plaintiff,

v.

M. TYLER, et al.,

Defendants.

Case No. [20-cv-05249-YGR](#) (PR)

ORDER OF DISMISSAL


This federal civil rights action will be dismissed as duplicative of another pending action, *Hill v. Tyler*, Case No. 20-cv-04797-YGR (PR). The Court will allow Plaintiff to only pursue one action, and thus it will screen the earlier filed complaint in *Hill v. Tyler*, Case No. 20-cv-04797-YGR (PR), in which Plaintiff pursues an action based on a similar claim of deliberate indifference to his serious medical needs against the same three prison physicians (Drs. M. Tyler, G. Ramos, and M. Sing) stemming from an incident in May 2020¹ involving Defendant Tyler prescribing Zyprexa leading to Plaintiff suffering severe side effects, and Defendants failing to treat him to relieve him of such side effects. For the foregoing reasons, the complaint in the instant action is **DISMISSED** as duplicative.

Plaintiff's motion for leave to proceed *in forma pauperis* is GRANTED. Dkt. 2.

The Clerk of the Court shall close the file.

IT IS SO ORDERED.

Dated: August 6, 2020


YVONNE GONZALEZ ROGERS
United States District Judge

¹ In the two above-referenced cases, Plaintiff indicates different incident dates: May 1, 2020 (in Case No. 20-cv-04797-YGR (PR)) and May 11, 2020 (Case No. 20-cv-05249-YGR (PR)). Because the dates are close in time and the allegations/defendants are identical in both cases, the Court assumes that Plaintiff was referring to the same incident and assumes it occurred on the same date in May 2020.